

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.
15499.177.1

In Re Application Of: Nye



Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/648,174	08/26/2003	Michael Chambers	022913	3711	4442

Title: **PORTABLE BASKETBALL SYSTEM**

Address to:
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

37 CFR 1.97(b)

1. ☐ The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.

37 CFR 1.97(c)

2. ☒ The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:

☐ the statement specified in 37 CFR 1.97(e);

OR

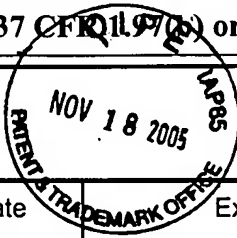
☒ the fee set forth in 37 CFR 1.17(p).

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Title: PORTABLE BASKETBALL SYSTEM

Payment of Fee

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 23-3178 as described below.
- ☐ Charge the amount of _____
- ☒ Credit any overpayment.
- ☐ Charge any additional fee required.
- ☒ Payment by credit card. Form PTO-2038 is attached.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Certificate of Transmission by Facsimile*

I certify that this document and authorization to charge deposit account is being facsimile transmitted to the United States Patent and Trademark Office (Fa

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Certificate of Mailing by First Class Mail

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on

November 15, 2005.

(Date)

Signature of Person Mailing Correspondence

Richard C. Gilmore

Typed or Printed Name of Person Mailing Certificate

*This certificate may only be used if paying by deposit account.

Signature

Dated: November 15, 2005

Richard C. Gilmore, Reg. No. 37,335
WORKMAN NYDEGGER
Phone: (801) 533-9800

cc:



PATENT APPLICATION
Docket No: 15499.177.1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	S. Curtis Nye)	
)	
Serial No.:	10/648,174)	Art Unit
)	3711
Filed:	August 26, 2003)	
)	
Title:	PORTABLE BASKETBALL SYSTEM)	
)	
Customer No.:	022,913)	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR § 1.97

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Please find, pursuant to 37 C.F.R. § 1.98 (a) (1), enclosed Form PTO-1449 that contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56 (c). While no representation is made that any of these references may be "prior art" within the meaning of that term under 37 C.F.R. §§ 102 or 103, the enclosed list of references is disclosed to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Pursuant to 37 C.F.R. § 1.97 (g) and (h), Applicant makes no representation that a search has been made or that the information cited is considered to be material to patentability. Additionally, Applicant makes no representation regarding the completeness of this list nor represents that other art does not exist.

Applicant has listed publication dates on the attached Form PTO-1449 based on information that is presently available to the undersigned attorney of record. The listed publication dates, however, should not be construed as an admission that the references were actually published on the dates indicated and Applicant reserves the right to establish that the actual publication dates of any of these references.

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Appl. No. : 10/648,174
Filed : August 26, 2003

Applicant also reserves the right to establish patentability of the claimed invention over any of the listed references, and/or to prove that any of the listed references are not prior art, and/or to prove that any of the listed references do not enable or otherwise teach, suggest or disclose the claimed invention.

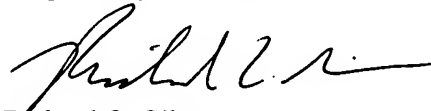
In accordance with 37 CFR §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is enclosed.

In accordance with 37 C.F.R. § 1.98 (c), all English translations within the possession, custody, control or availability of anyone designated in 37 C.F.R. § 1.56 (c) of each non-English reference, if any, are also enclosed.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency or credit any overpayment to our Deposit Account No. 23-3178 in connection with filing this document and any other documents filed herewith.

DATED this 15 day of November, 2005.

Respectfully submitted,



Richard C. Gilmore
Attorney for Applicant
Registration No. 37,335

CUSTOMER NO.: 022,913

Applicant:

Nye

Serial No.:

10/648,174

Att'y Docket No.: 15499.177.1

Filing Date:

August 26, 2003

PORTABLE BASKETBALL GOAL SYSTEM

INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANTU.S. Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Issue Date</u>	<u>Name</u>
___A1	6,427,963	08/2002	Davis, et al.
___A2	6,432,003	08/2002	Van Nimwegen
___A3	6,412,747	07/2002	Davis, et al.
___A4	6,338,686	01/15/2002	King
___A5	6,179,733	01/30/2001	Story
___A6	6,027,418	02/22/2000	van Nimwegen et al.
___A7	6,001,034	12/14/1999	Schickert et al.
___A8	5,947,847	09/07/1999	Van Nimwegen, et al.
___A9	5,947,848	09/07/1999	Koole
___A10	5,916,047	06/29/1999	Schickert
___A11	5,889,467	05/1999	Henkel
___A12	5,865,691	02/02/1999	Chen
___A13	5,839,714	11/24/1998	Fitzsimmons, et al.
___A14	5,836,838	11/1998	Van Nimwegen, et al.
___A15	5,823,550	10/1998	Bennett et al.

Examiner:

Date Considered:

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant: Nye

Serial No.: 10/648,174

Att'y Docket No.: 15499.177.1

Filing Date: August 26, 2003

For: PORTABLE BASKETBALL GOAL SYSTEM

____A16	5,800,291	09/01/1998	Grover
____A17	5,775,650	07/1998	Fox
____A18	5,772,167	06/1998	Koole
____A19	5,758,752	06/1998	King et al.
____A20	5,716,186	02/1998	Jensen et al.
____A21	5,709,397	01/1998	Hall
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____A23	5,672,130	09/1997	O'Connell et al.
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____A27	5,613,676	03/25/1997	Connolly
____A28	5,573,237	11/12/1996	van Nimwegen et al.
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____A30	5,542,679	08/1996	Caso
____A31	5,518,233	05/1996	Williams
____A32	5,478,068	12/1995	Schroeder
____A33	5,425,547	06/1995	Payan
____A34	5,415,393	05/1995	Fitzsimmons, et al.

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____A35	5,390,914	02/21/1995	Schroeder
____A36	5,377,976	01/1995	Matherne et al.
____A37	5,354,049	10/11/1994	Matherne et al.
____A38	5,348,326	09/1994	Fullenkamp et al.
____A39	5,313,817	05/1994	Meinders
____A40	5,308,302	05/1994	Miller
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____A52	4,940,232	07/10/1990	Chen
____A53	4,828,208	05/1989	Peterson et al.

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For: PORTABLE BASKETBALL GOAL SYSTEM

____A54	4,759,545	07/26/1988	Grable
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____A56	4,503,943	03/12/1985	Tsukui
____A57	4,417,738	11/1983	Kendall
____A58	4,412,679	11/01/1983	Mahoney, deceased, et al
____A59	4,138,763	02/13/1979	Cooley
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____A67	3,404,884	10/1968	Sorensen et al.
____A68	3,217,839	11/16/1965	Watkins, et al.
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____A71	2,939,705	06/1960	McCall Jr.
____A72	2,829,390	04/1958	Noland

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Serial No.: 10/648,174
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____A74	2,783,055	02/1957	Michaud
____A75	2,759,738	08/21/1956	Reiter
____A76	2,710,197	06/07/1955	Combs
____A77	2,624,469	01/06/1953	Cadwell, et al.
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____A82	2,227,310	12/31/1940	Hoppes et al.
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____A84	2,144,148	01/17/1939	Gross
____A85	2,111,554	03/22/1938	Clark
____A86	2,077,265	04/1937	Reed
____A87	2,061,929	11/24/1936	Ames
____A88	1,924,811	08/29/1933	Schultz
____A89	1,588,419	06/15/1926	Hickey
____A90	1,135,603	04/13/1915	Mead
____A91	865,987	09/17/1907	Barlow

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For: PORTABLE BASKETBALL GOAL SYSTEM

____ A92 221,713 11/18/1879 Allen

U.S. Patent Publications

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publication Date</u>	<u>Name</u>
____ B1	2003/0230692	12/18/2003	Davis

Foreign Patent Documents

<u>Examiner Initial*</u>	<u>Document Number</u>	<u>Publication Date</u>	<u>Country or Patent Office</u>
____ C1	03-212279	09/17/1991	Japan

Other Documents

(including author, title, pertinent pages, etc.)

<u>Examiner Initial*</u>	
____ 1	Legend™ “Air Time” Owner’s Manual, Model No. LP305230, Proform Fitness Products Inc., 1994, 12 pages.

Examiner:

Date Considered:

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References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initialed by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

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Examiner:

Date Considered:

***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.
